

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Athena E. Timms**
2470 North 44th Street
Milwaukee, WI 53210

From: **Milwaukee Area Office**
310 West Wisconsin Ave
Suite 500
Milwaukee, WI 53203

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

443-2016-01014

Shannon M. Lemke,
Investigator

(414) 297-3990

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

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More than 180 days have passed since the filing of this charge.

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Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

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The EEOC is terminating its processing of this charge.

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The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

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The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.

☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


 Julianne Bowman,
 District Director

JUN 02 2016

(Date Mailed)

Enclosures(s)

cc: **AMAZON INC.**
c/o Littler Mendelson PC
Global Services Center
Neil M. Alexander, Shareholder
2301 McGee Street, Suite 800
Kansas City, MO 64108

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

443-2016-01014

Wisconsin Equal Rights Division

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Ms. Athena E. Timms

Home Phone (Incl. Area Code)

(414) 915-1115

Date of Birth

03-02-1969

Street Address

City, State and ZIP Code

2470 North 44th Street, Milwaukee, WI 53210

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

AMAZON INC.

No. Employees, Members

Unknown

Phone No. (Include Area Code)

(888) 892-7180

Street Address

City, State and ZIP Code

3501 120th Avenue, Kenosha, WI 53140

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☒ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE
 Earliest Latest

03-02-2016

05-16-2016

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I began working for respondent as a Stower in a temporary position in October 2015. In February 2016, I was brought on as a permanent employee and attended orientation, but was told later that my hire date is March 2, 2016. During my employment I was given warnings for low or poor quality items. On May 16, 2016, I was told I was terminated because three departments reported me for low or poor quality items.

I believe respondent discriminated against me because of my age (d.o.b. 3-2-1969) and my race (Black), by issuing me warnings and by discharging me, in violation of the Age Discrimination in Employment Act of 1967, as amended, and Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

May 18, 2016

Date

Athena E. Timms

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)

Kenneth M. Deane

5-18-2016

Department of Workforce Development
Equal Rights Division
819 N. 6th Street, Rm. 723
Milwaukee, WI 53203-1697
Telephone: (414) 227-4384
Fax: (414) 227-4084
TTY: (414) 227-4081



Scott Walker, Governor
Raymond Allen, Secretary

NOTICE OF COMPLAINT - EEOC TO PROCESS INITIALLY

July 25, 2016

ATTN: NEIL ALEXANDER
LITTLER MENDELSON PC
GLOBAL SERVICES CENTER
2301 MCGEE ST STE 800
KANSAS MO 64108
Respondent

Re: ERD Case No. CR201601908
EEOC Case No. 443201601014C

To Whom It May Concern:

The enclosed charge of discrimination, which was originally filed with the Federal Equal Employment Opportunity Commission (EEOC), has also been filed with the State of Wisconsin Equal Rights Division (ERD). The ERD and the EEOC have a work sharing agreement which covers the processing of complaints of discrimination that are prohibited under both federal law and the Wisconsin Fair Employment Act. The work sharing agreement provides that the agency which originally receives the complaint will process it first. Therefore, the ERD will take no action pending the EEOC's processing of this complaint.

If you have any further questions regarding this case, please contact the EEOC at 414-297-1112. Remember to have your EEOC case number ready for reference.

cc: Complainant
EEOC

Enclosure

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☐ FEPA
☒ EEOC
443-2016-01014**Wisconsin Equal Rights Division**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Ms. Athena E. Timms

Home Phone (Incl. Area Code)

(414) 945-4445

Date of Birth

03-02-1969

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City, State and ZIP Code

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Phone No. (Include Area Code)

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Street Address

City, State and ZIP Code

3501 120th Avenue, Kenosha, WI 53140**RECEIVED**

Name

JUN 20 2016

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DWD - EQUAL RIGHTS

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☒ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
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DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

03-02-2016**05-16-2016**☐

CONTINUING ACTION

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May 18, 2016

Date

Athena E. Timms

Charging Party Signature

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I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE

(month, day, year)

Shannon M. [Signature] 5-18-2016